



Federal Register

**Monday,
December 13, 2004**

Part X

Department of Housing and Urban Development

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**24 CFR Subtitles A and B****[Docket No. FR-4935-N-02]****Semiannual Regulatory Agenda****AGENCY:** Department of Housing and Urban Development.**ACTION:** Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866, "Regulatory Planning and Review," as amended, HUD is publishing its agenda of regulations already issued or that are expected to be issued during the next several months. The agenda also includes rules currently in effect that are under review and describes those regulations that may affect small entities as required by section 602 of the Regulatory Flexibility Act. The purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT: Aaron Santa Anna, Assistant General Counsel for Regulations, Office of General Counsel, Department of Housing and Urban Development, Room 10276, 451 Seventh Street SW., Washington, DC 20410-0500, 202-708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at 800-877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Executive Order 12866, "Regulatory Planning and Review" (58 FR 51735), as amended by Executive Order 13258 (67 FR 9385), requires each agency to publish semiannually an agenda of (1) regulations that the agency has issued or expects to issue, and (2) rules currently in effect that are under agency review. The Regulatory Flexibility Act (5 U.S.C. 601-612) requires each agency to publish semiannually a regulatory agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866, as amended, and the Regulatory Flexibility Act each permits incorporation of the agenda required by these two authorities with any other prescribed agenda. Therefore, the agenda set out below combines the information required by Executive Order 12866, as amended, and the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive order or by the Regulatory Flexibility Act which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each agency to publish annually a list of the rules that have a significant economic impact on a substantial number of small entities, and that are to be reviewed in accordance with the requirements of section 610 during the succeeding 12 months. Existing regulations that HUD proposes to amend by rules described and published in this agenda are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the rule should be continued without change, amended, or rescinded. Proposed changes to existing regulations provide the opportunity for the Department to conduct a section 610 review.

The Department also is subject to certain rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 *et seq.*). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Banking and Financial Services), a semiannual agenda of all rules or regulations which are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. Section 7(o) provides that if, within that period, either committee notifies the Secretary that it intends to review any rule or regulation which appears on the agenda, the Secretary must submit to both committees a copy

of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days before it is published for comment. The semiannual agenda published today is the agenda transmitted to the committees in compliance with this requirement.

HUD has attempted to list in this agenda all regulations and regulatory reviews pending at the time of publication, except for minor and routine or repetitive actions, but some may have been inadvertently omitted, or may have arisen too late to be included in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where dates are provided for the next rulemaking actions, the dates are estimates and are not commitments to act on or by the date shown.

In some cases, HUD has withdrawn rules that were placed on previous agendas for which there has been no publication activity. Withdrawal of a rule does not necessarily mean that HUD will not proceed with the rulemaking. Withdrawal allows HUD to assess the subject matter further and determine whether rulemaking for this subject matter is appropriate. Following this review, the Department may determine that certain rules listed as withdrawn under this agenda are appropriate. If that determination is made, the rules will be included in a succeeding semiannual agenda.

In addition, for a few rules that have been published as proposed or interim rules and, therefore, require further rulemaking, HUD has identified the timing of the next action stage as "undetermined." These are rules that are still under review by HUD for which a determination of the next action stage and timing of the next action stage has not yet been made.

The format of the agenda remains unchanged from previous years. HUD's agenda items are divided first by program office. Within each program office, the agenda items are divided into five groups: (i) pre-rulemaking actions; (ii) publication or other implementations of notices of proposed rulemaking; (iii) publications or other implementations of final rules; (iv) long-term rules; and (v) completed actions. Within each grouping, rules are listed in chronological order by the part number of the CFR affected. Where a rule affects

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multiple parts of the CFR, the rule is listed by the first affected part number.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents

below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

Since the purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about the

Department's future regulatory actions, HUD invites all interested members of the public to comment on the rules listed in the agenda.

Dated: September 28, 2004.

Roy A. Bernardi,
Deputy Secretary.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1457	24 CFR 5 Providing for Electronic Submission of Grant Applications (FR-4875)	2501-AD02
1458	24 CFR 25 FHA Lenders and Mortgagees: Prohibiting Misleading Words in Names of Non-Federally Supervised Entities and Strengthening Enforcement of Mortgagee Review Board Sanctions (FR-4765)	2501-AC95
1459	24 CFR 81 Release in the Public Use Database of the Government-Sponsored Enterprises' Certain Mortgage Data and Annual Housing Activities Report (AHAR) Information (FR-4947)	2501-AD09
1460	24 CFR 84 Grants and Agreements—Uniform Requirements for All HUD Programs (FR-4930)	2501-AD05
1461	24 CFR 91 Consolidated Plan Amendments (FR-4923) (Reg Plan Seq No. 76)	2501-AD07
1462	24 CFR 5 Amendment to Definition of "Person with Disabilities" (FR-4939)	2501-AD10
1463	24 CFR 8 Nondiscrimination Based on Disability: Multifamily Homeownership Projects (FR-4776)	2501-AC87
1464	24 CFR 55 Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities (FR-4954)	2501-AD11

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1465	24 CFR 5 Implementation of Requirement for Use of Data Universal Numbering System (DUNS) Identifier (FR-4876)	2501-AD01
1466	24 CFR 203 Treble Damages for Failure To Engage in Loss Mitigation (FR-4553) (Reg Plan Seq No. 77)	2501-AC66
1467	24 CFR 92 HOME Investment Partnerships Program, Amendments to Homeownership Affordability Requirements (FR-4940)	2501-AD06
1468	24 CFR 92 American Dream Downpayment Initiative (FR-4832)	2501-AC93
1469	24 CFR 888 Fair Market Rents Programs: Increased Fair Market Rents for Certain Areas and Higher Payment Standards (FR-4606)	2501-AC75

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1470	24 CFR 81 The Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Prohibiting the Purchase of Certain Loans With High Costs and/or Predatory Features (FR-4614)	2501-AC76
1471	24 CFR 92 Home Investment Partnerships Program (FR-4833)	2501-AC94
1472	24 CFR 84 Adoption of Revisions to OMB Circular A-110 (FR-4573)	2501-AC68
1473	24 CFR 5 Electronic Document Retention and Consumer Disclosure Requirements in HUD-Related Transactions (FR-4686)	2501-AC79

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1474	24 CFR 7 Equal Employment Opportunity: Revisions to Affirmative Employment Programs Policy (FR-4929)	2501-AD04

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Office of the Secretary—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1475	24 CFR 81 The Secretary of HUD's Regulation of Fannie Mae and Freddie Mac (FR-4790)	2501-AC92
1476	24 CFR 5 Implementation of Executive Order 13279 for HUD Programs: Equal Protection of the Laws for Faith-Based and Community Organizations (FR-4881)	2501-AD03

Office of Housing—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1477	24 CFR 206 Home Equity Conversion Mortgages (HECM): Long-Term Care Insurance (FR-4857)	2502-AI04

Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1478	24 CFR 25 Single Family Mortgage: Lender Compliance and Accountability (FR-4761)	2502-AH87
1479	24 CFR 202.2 Duties and Responsibilities of Loan Correspondents and Sponsors (FR-4762)	2502-AH90
1480	24 CFR 203 Revisions to the Single Family Mortgage Insurance Program (FR-4831)	2502-AI03
1481	24 CFR 203 Notice of Default Reporting (FR-4916)	2502-AI20
1482	24 CFR 212 Housing Counseling Program (FR-4798) (Reg Plan Seq No. 78)	2502-AH99
1483	24 CFR 291 Competitive Sales Procedures—Owner-Occupant Priority Over Nonprofit Organizations (FR-4858)	2502-AI05
1484	24 CFR 203 Accelerated Claims and Asset Disposition Program (FR-4887)	2502-AI14
1485	24 CFR 291 One Dollar Home Sales to Local Governments (FR 4862)	2502-AI15
1486	24 CFR 880 Distributions to Nonprofit Owners of Certain HUD-Assisted Multifamily Rental Projects (FR-4602)	2502-AH52
1487	24 CFR 401 Mark-to-Market Program Amendments (FR-4751)	2502-AH86
1488	24 CFR 207 HUD Multifamily Accelerated Processing Quality Assurance Enforcement (FR-4836)	2502-AI01
1489	24 CFR 200 Hospital Mortgage Insurance Program (FR-4927)	2502-AI22
1490	24 CFR 200 Disposition of HUD-Owned Multifamily Projects; Purchaser's Compliance With State and Local Housing Laws and Requirements (FR-4941)	2502-AI24
1491	24 CFR 203 Due Diligence/Quality Control Plans (FR-4846)	2502-AI02
1492	24 CFR 291 Disposition of HUD-Owned Single Family Assets in Asset Control Areas (FR-4471)	2502-AH40
1493	24 CFR 291, subpart F Disposition of HUD-Acquired Single Family Property: Good Neighbor Next Door Sales Programs (FR-4712)	2502-AH72
1494	24 CFR 291 Disposition of HUD-Acquired Single Family Property Amendments (FR-4952)	2502-AI27
1495	24 CFR 3280 Manufactured Homes Installation Standards (FR-4928)	2502-AI25
1496	24 CFR 3286 Manufactured Housing Installation Program (FR-4812)	2502-AH97
1497	24 CFR 3288 Manufactured Housing Dispute Resolution Program (FR-4813)	2502-AH98
1498	24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4886)	2502-AI12
1499	24 CFR 3282 Manufactured Housing On-Site Construction (FR-4885)	2502-AI13

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Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1500	24 CFR 200 Revised Guidelines for Previous Participation Certification (FR-4870)	2502-AI10
1501	24 CFR 203 Amendments to Prohibition of Property Flipping in HUD's Single Family Mortgage Insurance Programs (FR-4911)	2502-AI18
1502	24 CFR 203 Eligibility of Adjustable Rate Mortgages (FR-4946)	2502-AI26
1503	24 CFR 291 Disciplinary Actions Against HUD-Qualified Real Estate Brokers (FR-4871)	2502-AI08
1504	24 CFR 203 Debenture Interest Payment Changes (FR-4945)	2502-AI29
1505	24 CFR 203.18 Nonprofit Organization Participation in FHA Single Family Mortgage Insurance Programs (FR-4702)	2502-AH71
1506	24 CFR 200.54(b) Distribution of Tax Credit Proceeds (FR-4792)	2502-AH91

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Office of Housing—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1507	24 CFR 242 HUD Multifamily Rental and Health Care Facility Closing Documents (FR-4883)	2502-AI11
1508	24 CFR 202 Revisions to FHA Credit Watch Termination Initiative (FR-4625)	2502-AH60
1509	24 CFR 203 Up-Front Mortgage Insurance Premiums: Remittance Requirements (FR-4690)	2502-AH67
1510	24 CFR 203.50 Up-Front Mortgage Insurance Premiums for Loans Insured Under 24 CFR 203(k) and 234(c) of the National Housing Act (FR-4749)	2502-AH82
1511	24 CFR 203 Eligibility of Mortgages on Hawaiian Homelands Insured Under Section 247 (FR-4779)	2502-AH92
1512	24 CFR 203 FHA Total Mortgage Scorecard (FR-4835)	2502-AI00
1513	24 CFR 206 Insurance for Mortgages To Refinance Existing HECMs (FR-4667)	2502-AH63
1514	24 CFR 402 Renewal of Expiring Section 8 Project-Based Assistance Contracts (FR-4551)	2502-AH47
1515	24 CFR 891 Mixed Finance Development for Supportive Housing for the Elderly or Persons With Disabilities and Other Changes to 24 CFR Part 891 (FR-4725)	2502-AH83
1516	24 CFR 3284 Manufactured Housing Program: Minimum Payments to States (FR-4868)	2502-AI16

Office of Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1517	24 CFR 202.5 Establishment of Loan Officer Registry and Establishment of Servicing Approval Agreements (FR-4764)	2502-AH88
1518	24 CFR 203.43 (b)(1) Home Equity Conversion Mortgages (HECM): Cooperative Housing Developments (FR-4777)	2502-AH89
1519	24 CFR 203 E-Endorsement of FHA-Insured Mortgages (FR-4789)	2502-AH95
1520	24 CFR 3500 et seq RESPA—Improving the Process for Obtaining Mortgages (FR-4727)	2502-AH85

Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1521	24 CFR 81 Nonproprietary Data Submitted by the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) (FR-4796)	2502-AH96
1522	24 CFR 200 Section 223f Supplemental Cost Certification (FR-4793)	2502-AH93
1523	State Installation Requirements (FR-4877)	2502-AI07
1524	24 CFR 236 Section 236 Excess Rental Charges (FR-4689)	2502-AH68
1525	24 CFR 401 Release of Information to Tenants and Other Parties Pursuant to MAHRA (FR-4531)	2502-AH45
1526	24 CFR 203 Lender Accountability for Appraisals (FR-4722)	2502-AH78

Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1527	24 CFR 598 Empowerment Zones: Resident Benefit and Economic Development Standards for Grants (FR-4853) (Reg Plan Seq No. 79)	2506-AC16
1528	Self-Help Homeownership Opportunity Program (FR-4949)	2506-AC18
1529	24 CFR 574 Housing Opportunities for Persons With AIDS (HOPWA) (FR-4708)	2506-AC11

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Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1530	24 CFR 570 Modification of the Community Development Block Grant Definition for Metropolitan City and Other Conforming Amendments (FR-4872)	2506-AC15
1531	24 CFR 570 Community Development Block Grant Program: Small Cities and Insular Areas Programs (FR-4919)	2506-AC17
1532	24 CFR 570 CDBG Program for States: Community Revitalization Strategy Requirements and Miscellaneous Technical Amendments (FR-4081)	2506-AB83
1533	24 CFR 583 Supportive Housing Program (FR-4616)	2506-AC07
1534	24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556)	2506-AC04
1535	24 CFR 570 Community Development Block Grant Program Revision of CDBG Eligibility and National Objective Regulations (FR-4699)	2506-AC12

Government National Mortgage Association—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1536	24 CFR 320 Removal of Regulation Specifying Minimum Face Value of Ginnie Mae Securities (FR-4856)	2503-AA17

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1537	24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4748)	2529-AA90
1538	24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898)	2529-AA49

Office of Fair Housing and Equal Opportunity—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1539	24 CFR 100 Fair Housing Act Regulation: Conforming Amendment; Update To Reflect Current Edition of American National Standards Institute (ANSI) (FR-4554)	2529-AA88

Office of Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1540	48 CFR 2401 HUD Acquisition Regulation (FR-4705)	2535-AA26

Office of the Inspector General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1541	24 CFR 2004 Office of Inspector General Subpoenas and Production in Response to Subpoenas or Demands of Courts or Other Authorities (FR-4942)	2508-AA14

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Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1542	24 CFR 905 Capital Fund Program (FR-4880) (Reg Plan Seq No. 80)	2577-AC50
1543	24 CFR 941 Streamlined Mixed Finance Application Review (FR-4924)	2577-AC55
1544	24 CFR 985 Section 8 Management Assessment Program (FR-4884)	2577-AC52
1545	24 CFR 990 Operating Fund Allocation Formula (FR-4874) (Reg Plan Seq No. 81)	2577-AC51
1546	24 CFR 1000 Native American Housing Assistance and Self-Determination Act (NAHASDA): Revisions to the Indian Housing Block Grant Program Formula (FR-4938) (Reg Plan Seq No. 82)	2577-AC57
1547	24 CFR 964 Streamlining Public Housing Operations, Including Resident Participation (FR-4657)	2577-AC26
1548	24 CFR 970 Public Housing Program—Demolition or Disposition of Public Housing Projects (FR-4598)	2577-AC20
1549	24 CFR 982 Tenant-Based Assistance: Housing Choice Voucher Program (FR-4838)	2577-AC44
1550	24 CFR 990 Capital and Operating Funds for Debt Service and Financing Activities (FR-4843)	2577-AC49

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1551	24 CFR 906 Technical and Conforming Amendments to the Public Housing Homeownership Program (FR-4891)	2577-AC53
1552	24 CFR 960 PHA Discretion in Treatment of Over-Income Families (FR-4824)	2577-AC42
1553	24 CFR 972 Conversion of Developments From Public Housing Stock; Methodology for Comparing Costs of Public Housing and Tenant-Based Assistance (FR-4718)	2577-AC33
1554	24 CFR 982 Housing Choice Voucher Homeownership Program; Pilot Program for Homeownership Assistance for Disabled Families (FR-4661)	2577-AC24
1555	24 CFR 983 Project-Based Voucher Program (FR-4636) (Reg Plan Seq No. 83)	2577-AC25

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Office of Public and Indian Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1556	24 CFR 1000 Implementation of Statutory Revisions to NAHASDA (FR-4750)	2577-AC37
1557	24 CFR 1000 Minimum Funding Under the Indian Housing Block Grant Program (FR-4825)	2577-AC43

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1558	24 CFR 985 Revisions to Section 8 Management Assessment Program (SEMAP) Lease-Up Indicator (FR-4926) ..	2577-AC54
1559	24 CFR 954 Participation in HUD's Native American Programs by Religious Organizations: Providing Equal Treatment to All Program Participants (FR-4915)	2577-AC56

Department of Housing and Urban Development (HUD)

Office of the Secretary (HUDSEC)

Proposed Rule Stage

1457. PROVIDING FOR ELECTRONIC SUBMISSION OF GRANT APPLICATIONS (FR-4875)

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-107

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: The President's objective for e-government, as contained in the President's Management Agenda, requires Federal agencies to allow for electronic application submission. The Department proposes mandatory

electronic submission for applications for Federal financial assistance. This rule would provide for public comment on this proposal to require electronic submission.

HUD—HUDSEC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State, Tribal

Agency Contact: Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Office of Administration, Department of Housing and Urban Development
Phone: 202 708-0667
Fax: 202 708-0531

RIN: 2501-AD02

1458. FHA LENDERS AND MORTGAGEES: PROHIBITING MISLEADING WORDS IN NAMES OF NON-FEDERALLY SUPERVISED ENTITIES AND STRENGTHENING ENFORCEMENT OF MORTGAGEE REVIEW BOARD SANCTIONS (FR-4765)

Priority: Other Significant

Legal Authority: 12 USC 1703; 12 USC 1708(c); 12 USC 1708(d); 12 USC 1709(s); 12 USC 1715b; 12 USC 1735(f)-14

CFR Citation: 24 CFR 25; 24 CFR 202**Legal Deadline:** None

Abstract: This rule would prohibit the use of certain misleading or restricted names used by non-Federally supervised lenders and mortgagees to increase compliance with existing criminal code (18 U.S.C. 709) and to avoid confusion of consumers by lenders and mortgagees who use misleading words in their name to falsely imply that they have some connection with or authorization from the Department of Housing and Urban Development and/or the Federal Housing Administration. In addition, this rule will limit the ability of lenders and mortgagees to evade Mortgagee Review Board sanctions by selling their addresses, names, and assets to another FHA-approved lender or mortgagee.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, Office of Housing, P3214, 451 7th Street SW., Washington, DC 20410
Phone: 202 708-1515

RIN: 2501-AC95

1459. • RELEASE IN THE PUBLIC USE DATABASE OF THE GOVERNMENT-SPONSORED ENTERPRISES' CERTAIN MORTGAGE DATA AND ANNUAL HOUSING ACTIVITIES REPORT (AHAR) INFORMATION (FR-4947)

Priority: Other Significant

Legal Authority: 12 USC 1451 et seq; 12 USC 1716 to 1723h; 12 USC 4501 to 4641; 42 USC 3535(d); 42 USC 3601 to 3619

CFR Citation: 24 CFR 81**Legal Deadline:** None

Abstract: HUD is proposing to release to the public, via the public use database established by section 1323 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (FHEFSSA), certain data that have been, and will be, submitted to HUD by the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) (collectively, the "Government-sponsored enterprises" or "GSEs").

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Sandra Fostek, Director, Office of Government Sponsored Enterprises, Department of Housing and Urban Development
Phone: 202 708-2224

RIN: 2501-AD09

1460. GRANTS AND AGREEMENTS—UNIFORM REQUIREMENTS FOR ALL HUD PROGRAMS (FR-4930)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 3535(d)**CFR Citation:** 24 CFR 84; 24 CFR 85**Legal Deadline:** None

Abstract: Based on a proposal by OMB that would publish, in a single title in the CFR, all of OMB's guidance concerning Federal agency grants and agreements, HUD proposes to simplify the Department's requirements for grants, nonprocurement agreements, and other financial assistance by establishing these standards as uniform for all HUD programs, except when statutory authority provides otherwise. This rule would also make several technical corrections to cross-references.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Office of Administration, Department of Housing and Urban Development
Phone: 202 708-0667
Fax: 202 708-0531

RIN: 2501-AD05

1461. CONSOLIDATED PLAN AMENDMENTS (FR-4923)

Regulatory Plan: This entry is Seq. No. 76 in part II of this issue of the **Federal Register**.

RIN: 2501-AD07

1462. • AMENDMENT TO DEFINITION OF "PERSON WITH DISABILITIES" (FR-4939)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 1437a; 42 USC 3535(d)

CFR Citation: 24 CFR 5**Legal Deadline:** None

Abstract: HUD proposes to amend the definition of "person with disabilities" in HUD's regulations for section 8 and public housing assistance under the United States Housing Act of 1937 to expressly include persons who have been determined permanently and totally disabled by the Department of Veterans Affairs for purposes of the

HUD—HUDSEC

Proposed Rule Stage

Non-Service-Connected Disability Pension program. The intended effect of this action will be to provide additional assistance to eligible disabled veterans in obtaining further access to HUD's programs.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patricia Arnaudo, Senior Program Manager, PEHP, Public Housing Management and Occupancy Division, Department of Housing and Urban Development
Phone: 202 708-0744

RIN: 2501-AD10

1463. NONDISCRIMINATION BASED ON DISABILITY: MULTIFAMILY HOMEOWNERSHIP PROJECTS (FR-4776)

Priority: Other Significant

Legal Authority: 29 USC 794; 42 USC 3535(d); 42 USC 5309

CFR Citation: 24 CFR 8

Legal Deadline: None

Abstract: This rule clarifies the applicability of HUD's accessibility requirements (nondiscrimination based on disability) to multifamily homeownership projects receiving financial assistance from HUD. In addition, this rule conforms this part to statutory changes by replacing the term "handicap" with "disability" and by removing obsolete references.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cheryl Kent, Special Advisor for Disability Policy, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-1734

RIN: 2501-AC87

1464. • ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD ENVIRONMENTAL RESPONSIBILITIES (FR-4954)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 1707 note; 12 USC 1715z-13a(k); 25 USC 4115; 25

USC 4226; 42 USC 1437x; 42 USC 3535(d); 42 USC 3547; 42 USC 4332; 42 USC 4852; ...

CFR Citation: 24 CFR 55; 24 CFR 58; 24 CFR 585

Legal Deadline: None

Abstract: The rulemaking proposes to make: (a) technical corrections; (b) implement statutory provisions; (c) replace obsolete environmental provisions in certain program regulations to conform with parts 50 and 58; (d) add exclusions to the list at section 55.12; and (e) make relevant changes based on program experience.

Timetable:

Action	Date	FR Cite
NPRM	02/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Walter D. Prybyla, Deputy Director for Policy Environmental Review Division, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-1201

RIN: 2501-AD11

**Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)**

Final Rule Stage

1465. IMPLEMENTATION OF REQUIREMENT FOR USE OF DATA UNIVERSAL NUMBERING SYSTEM (DUNS) IDENTIFIER (FR-4876)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule implements the requirement for grant applicants to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for Federal funds through HUD's formula programs or NOFAs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/26/04	69 FR 15671

Action	Date	FR Cite
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Interim Final Rule
Comment Period
End

Interim Final Rule
Effective

Final Action
11/00/04

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: Local, State, Tribal

Agency Contact: Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Office of Administration, Department of Housing and Urban Development
Phone: 202 708-0667
Fax: 202 708-0531

RIN: 2501-AD01

1466. TREBLE DAMAGES FOR FAILURE TO ENGAGE IN LOSS MITIGATION (FR-4553)

Regulatory Plan: This entry is Seq. No. 77 in part II of this issue of the **Federal Register**.

RIN: 2501-AC66

1467. HOME INVESTMENT PARTNERSHIPS PROGRAM, AMENDMENTS TO HOMEOWNERSHIP AFFORDABILITY REQUIREMENTS (FR-4940)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 12701 to 12839

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rule revises the affordability requirements for

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Final Rule Stage

homeownership housing assisted under the HOME Investment Partnership Program. First, the rule provides that, upon sale of HOME-assisted homeownership housing before the close of the required affordability period, a participating jurisdiction may only recapture an amount equal to the net proceeds of the sale. The rule also provides a participating jurisdiction with the flexibility to invest additional HOME funds to preserve homebuyer housing for which HOME funds have already been used. The regulatory amendments will provide participating jurisdictions with additional flexibility to preserve HOME-assisted homeownership housing.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Virginia Sardone, Director, Program Policy Division, Department of Housing and Urban Development
Phone: 202 708-2470

RIN: 2501-AD06

1468. AMERICAN DREAM DOWNPAYMENT INITIATIVE (FR-4832)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 12701 to 12839; 42 USC 3601 to 3619; 42 USC 5301 to 5315; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912

CFR Citation: 24 CFR 91; 24 CFR 92**Legal Deadline:** None

Abstract: This rule establishes regulations for the American Dream Downpayment Initiative (ADDI).

Through the ADDI, HUD makes formula grants to participating jurisdictions under the HOME Investment Partnerships program for the purpose of assisting low-income families achieve homeownership. HUD must make the ADDI funds available in accordance with a formula. This rule codifies the formula for allocation of ADDI funds to HOME participating jurisdictions, identifies eligible activities and costs under the ADDI, and establishes other applicable requirements. This final rule follows publication of a March 30, 2004, interim rule, and takes into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/30/04	69 FR 16758
Interim Final Rule Effective	04/29/04	
Interim Final Rule Comment Period End	06/01/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Virginia Sardone, Director, Program Policy Division, Department of Housing and Urban Development
Phone: 202 708-2470

RIN: 2501-AC93

1469. FAIR MARKET RENTS PROGRAMS: INCREASED FAIR MARKET RENTS FOR CERTAIN AREAS AND HIGHER PAYMENT STANDARDS (FR-4606)

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 888; 24 CFR 982; 24 CFR 985

Legal Deadline: None

Abstract: Section 8(c)(1) of the United States Housing Act of 1937 requires the Secretary to publish Fair Market Rents (FMRs) annually to be effective on October 1 of each year. FMRs are used to determine payment standard amounts for the Housing Choice Voucher program, to determine initial renewal rents for some expiring project-based Section 8 contracts, and to determine initial rents for housing assistance payments (HAP) contracts in the Moderate Rehabilitation Single Room Occupancy program. HUD's regulations governing FMRs are found in 24 CFR part 888. On October 2, 2000, HUD published an interim rule that made certain changes to these regulations. The final rule will take into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/02/00	65 FR 58870
Interim Final Rule Comment Period End	11/16/00	
Interim Final Rule Effective	12/01/00	
Revised Interim Final Rule	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State

Agency Contact: Gerald J. Benoit, Director, Housing Voucher Management and Operations, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2501-AC75

Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)

Long-Term Actions

1470. THE SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC: PROHIBITING THE PURCHASE OF CERTAIN LOANS WITH HIGH COSTS AND/OR PREDATORY FEATURES (FR-4614)

Priority: Other Significant

Legal Authority: 12 USC 1451 et seq; 12 USC 1716 et seq; 12 USC 4501 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 81

Legal Deadline: None

Abstract: A report issued in June 2000 by HUD and the Department of Treasury entitled "Curbing Predatory Home Mortgage Lending" noted that by providing a source of funding, entities that purchase or securitize loans with high cost and/or predatory features are, knowingly or unknowingly, supporting the activities of predatory loan originators. The report recommended regulatory restrictions that would prohibit the two Government-Sponsored Enterprises (GSEs), Fannie Mae and Freddie Mac, from purchasing certain types of loans with high costs and/or predatory features altogether. Through this rulemaking, HUD will establish regulatory restrictions, consistent with the GSEs' voluntary restrictions, that will prohibit the GSEs from purchasing certain loans with high costs and/or predatory features.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Fostek, Director, Office of Government Sponsored Enterprise Oversight, Department of Housing and Urban Development, Office of Housing
 Phone: 202 708-2224

RIN: 2501-AC76

1471. HOME INVESTMENT PARTNERSHIPS PROGRAM (FR-4833)

Priority: Other Significant

Legal Authority: 42 USC 12701 to 12839; 42 USC 3535(d)

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rule would change the HOME regulations with respect to

Community Housing Development Organization (CHDO) performance measures, CHDO conflict of interest provisions and other policies related to CHDOs. It would also clarify the distinction between housing and facilities and make other corrections and clarifications.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Virginia Sardone, Director, Program Policy Division, Department of Housing and Urban Development
 Phone: 202 708-2470

RIN: 2501-AC94

1472. ADOPTION OF REVISIONS TO OMB CIRCULAR A-110 (FR-4573)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 5; 24 CFR 84; 24 CFR 85

Legal Deadline: None

Abstract: This document presents the final revision to the codification, at 24 CFR part 84, of the Office of Management and Budget (OMB) Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations." OMB issued a final revision to Circular A-110 on September 30, 1999, as required by Public Law 105-227. This rule provides uniform administrative requirements for all grants and cooperative agreements to institutions of higher education, hospitals, and other nonprofit organizations. FR-4258 (RIN 2501-AC39), which makes final an interim rule that adopted revised OMB Circular A-133 to obtain consistency and uniformity among Federal agencies for the audit of States, local governments, and nonprofit organizations expending Federal awards, is also merged with this rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/11/00	65 FR 30498
Interim Final Rule Effective	06/12/00	

Action	Date	FR Cite
Interim Final Rule	07/10/00	
Comment Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Department of Housing and Urban Development, Office of Administration
 Phone: 202 708-0667

RIN: 2501-AC68

1473. ELECTRONIC DOCUMENT RETENTION AND CONSUMER DISCLOSURE REQUIREMENTS IN HUD-RELATED TRANSACTIONS (FR-4686)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; 12 USC 1715z-13a; 12 USC 2601 to 2617; 15 USC 1701 to 1706; 15 USC 7001 to 7006; ...

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule will implement the Electronic Signature Act which allows agencies to issue regulations, pursuant to their existing regulatory authority, interpreting section 101 of E-SIGN (15 U.S.C. 7001) and setting performance standards for the accuracy, integrity, and accessibility of electronically retained documents. The rule will set performance standards for the accessibility, integrity, and accuracy of electronically retained documents.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Koren McKenzie-John, Attorney-Advisor, Multifamily Mortgage Division, Department of Housing and Urban Development, Office of the General Counsel
 Phone: 202 708-4090

RIN: 2501-AC79

Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)
Completed Actions
1474. EQUAL EMPLOYMENT OPPORTUNITY: REVISIONS TO AFFIRMATIVE EMPLOYMENT PROGRAMS POLICY (FR-4929)
Priority: Substantive, Nonsignificant**CFR Citation:** 24 CFR 7**Completed:**

Reason	Date	FR Cite
Final Rule	10/22/04	69 FR 62172
Final Rule Effective	11/22/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Marcella Brown
Phone: 617 994-8320**RIN:** 2501-AD04
1475. THE SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC (FR-4790)
Priority: Economically Significant.
Major under 5 USC 801.**CFR Citation:** 24 CFR 81**Completed:**

Reason	Date	FR Cite
NPRM	05/03/04	69 FR 24227
Final Action	11/02/04	69 FR 63580
Final Action Effective	01/01/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sandra Fostek
Phone: 202 708-2224**RIN:** 2501-AC92
1476. IMPLEMENTATION OF EXECUTIVE ORDER 13279 FOR HUD PROGRAMS: EQUAL PROTECTION OF THE LAWS FOR FAITH-BASED AND COMMUNITY ORGANIZATIONS (FR-4881)
Priority: Other Significant**CFR Citation:** 24 CFR 5; 24 CFR 570**Completed:**

Reason	Date	FR Cite
Final Action	07/09/04	69 FR 41712
Final Action Effective	08/09/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ryan Streeter
Phone: 202 708-2404**RIN:** 2501-AD03
Department of Housing and Urban Development (HUD)
Office of Housing (OH)
Prerule Stage
1477. HOME EQUITY CONVERSION MORTGAGES (HECM): LONG-TERM CARE INSURANCE (FR-4857)
Priority: Other Significant**Legal Authority:** 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)**CFR Citation:** 24 CFR 206**Legal Deadline:** None**Abstract:** This rule would implement a statutory amendment to the National Housing Act that waives payment by a mortgagor of the up-front mortgage insurance premium (MIP) payable at

the time of insurance of the mortgage on the mortgagor's property. The amendment authorizes the waiver of the MIP only with respect to a home equity conversion mortgage (HECM) under which the total amount of all future payments to the mortgagor will be used for costs of a qualified long-term care insurance contract that covers the mortgagor or members of the household residing in the property that is subject to the mortgage.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Vance Morris,
Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121**RIN:** 2502-AI04
Department of Housing and Urban Development (HUD)
Office of Housing (OH)
Proposed Rule Stage
1478. SINGLE FAMILY MORTGAGE: LENDER COMPLIANCE AND ACCOUNTABILITY (FR-4761)
Priority: Other Significant**Legal Authority:** 12 USC 1703; 12 USC 1708(c); 12 USC 1708 (d); 12 USC 1709; 12 USC 1709(s); 12 USC 1715(b); 12 USC 1735; 12 USC 1735(f)-14; 42 USC 3535(d)**CFR Citation:** 24 CFR 25; 24 CFR 202**Legal Deadline:** None**Abstract:** The rule would allow the Department to be more restrictive as to

who can be an owner or officer of an FHA-approved lending entity, better hold the owners and principal officers and loan officers accountable for noncompliance, clarify duties and responsibilities of all parties involved in the loan origination process, and update FHA's lender requirements to reflect current operating practices in the mortgage industry.

Timetable:

Action	Date	FR Cite
NPRM	02/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Murray,
Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, Office of Housing, P3214, 451 7th Street SW., Washington, DC 20410
Phone: 202 708-1515**RIN:** 2502-AH87

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Proposed Rule Stage

1479. DUTIES AND RESPONSIBILITIES OF LOAN CORRESPONDENTS AND SPONSORS (FR-4762)**Priority:** Other Significant**Legal Authority:** 12 USC 1703, 1709, 1710; 12 USC 1715b; 12 USC 1715y; 42 USC 3535(d)**CFR Citation:** 24 CFR 202.2; 24 CFR 202.8(b)(7); 24 CFR 207.255(b) (11)**Legal Deadline:** None**Abstract:** This rule would describe the duties and responsibilities of FHA-approved loan correspondents and sponsors. The Department believes it necessary to delineate clearly the different responsibilities and duties of loan correspondents and sponsors to ensure compliance with FHA program requirements. The rule also would define the terms “origination” and “underwriting.”**Timetable:**

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, Office of Housing, P3214, 451 7th Street SW., Washington, DC 20410 Phone: 202 708-1515**RIN:** 2502-AH90**1480. REVISIONS TO THE SINGLE FAMILY MORTGAGE INSURANCE PROGRAM (FR-4831)****Priority:** Other Significant**Legal Authority:** 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)**CFR Citation:** 24 CFR 203**Legal Deadline:** None**Abstract:** In response to a statutory change, this rule would revise certain regulations under the Single Family Mortgage Insurance Program that govern actions by mortgagees with respect to mortgages in default. The rule also would amend other regulations under the Program to make them consistent with industry practices. The Department believes that these changes would help to increase

the administrative efficiency of the Single Family Mortgage Insurance Program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1672**RIN:** 2502-AI03**1481. NOTICE OF DEFAULT REPORTING (FR-4916)****Priority:** Other Significant**Legal Authority:** 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)**CFR Citation:** 24 CF 203**Legal Deadline:** None**Abstract:** This rule revises the regulations under the single family mortgage insurance program that require mortgagees to report the status of all single family mortgages insured by HUD that are in default after 60 days or that are 90 or more days delinquent, as applicable. The revised rule would require mortgagees to report mortgages that are 30 or more days delinquent. The Department believes that the revised rule would, among other things, provide HUD with more recent delinquency information. The receipt of more up-to-date-information will enable HUD to monitor better its loss mitigation program and strengthen the soundness of the Federal Housing Authority (FHA) mortgage insurance fund.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housingand Urban Development, Office of Housing, Room 9172
Phone: 202 708-1672**RIN:** 2502-AI20**1482. HOUSING COUNSELING PROGRAM (FR-4798)****Regulatory Plan:** This entry is Seq. No. 78 in part II of this issue of the **Federal Register**.**RIN:** 2502-AH99**1483. COMPETITIVE SALES PROCEDURES—OWNER—OCCUPANT PRIORITY OVER NONPROFIT ORGANIZATIONS (FR-4858)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441 to 1441a; 42 USC 1551a; 42 USC 3535(d)**CFR Citation:** 24 CFR 291**Legal Deadline:** None**Abstract:** This rule would be a complete rewrite of existing rules to more accurately reflect the sales procedures under the new management and marketing environment.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** James C. Everett, Office of the Deputy Assistant Secretary for Single Family Housing, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1672**RIN:** 2502-AI05**1484. ACCELERATED CLAIMS AND ASSET DISPOSITION PROGRAM (FR-4887)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)**CFR Citation:** 24 CFR 203; 24 CFR 291**Legal Deadline:** None**Abstract:** This rule would codify the requirements for HUD's successful Accelerated Claim Disposition (ACD) demonstration, making it a permanent

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part of HUD's single family property disposition program. Under the codified ACD Program, HUD will pay accelerated claims upon assignment of certain defaulted mortgage loans insured by the Federal Housing Administration (FHA). The new program will better assist FHA homeowners to avoid foreclosure and to maximize the value of assets disposed by HUD.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kathleen Malone, Director, Asset Sales Staff, Office of Finance and Budget, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2625

RIN: 2502-AI14

1485. ONE DOLLAR HOME SALES TO LOCAL GOVERNMENTS (FR 4862)

Priority: Other Significant

Legal Authority: 12 USC 1710; 42 USC 3535(d)

CFR Citation: 24 CFR 291

Legal Deadline: None

Abstract: This program allows properties which have been offered to the public for sale for six or more months and are not presently under a sales contract to be removed from the market and offered exclusively to local governments for \$1 plus closing costs.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James C. Everett, Office of the Deputy Assistant Secretary for Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AI15

1486. DISTRIBUTIONS TO NONPROFIT OWNERS OF CERTAIN HUD-ASSISTED MULTIFAMILY RENTAL PROJECTS (FR-4602)

Priority: Other Significant

Legal Authority: 12 USC 1710 to 1715

CFR Citation: 24 CFR 880; 24 CFR 881; 24 CFR 883

Legal Deadline: None

Abstract: This rule adds an exception to HUD's current Section 8 regulations that prohibit any distributions to nonprofit owners of projects receiving project-based assistance. HUD may now permit distributions of surplus cash to owners of projects with expiring Section 8 project-based assistance contracts who agree to renew their contracts, if distributions are necessary to ensure continued participation of the owners in the Section 8 program.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH52

1487. MARK-TO-MARKET PROGRAM AMENDMENTS (FR-4751)

Priority: Other Significant

Legal Authority: PL 107-116, title VI

CFR Citation: 24 CFR 200; 24 CFR 401

Legal Deadline: None

Abstract: This rule would make conforming changes to the mark-to-market regulations as necessary to fully implement the Mark-to-Market Program Extension Act of 2001, enacted as title VI of Pub. L. 107-116.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marilyn E. Carlson, Senior Advisor – FHA, Office of Affordable Housing Preservation, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0001

RIN: 2502-AH86

1488. HUD MULTIFAMILY ACCELERATED PROCESSING QUALITY ASSURANCE ENFORCEMENT (FR-4836)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This rule outlines the process for implementing quality control on FHA-insured multifamily housing loans processed using multifamily accelerated processing (MAP). It includes the various controls available for HUD when corrective action is necessary, including warning letters, limited denial of participation, MAP probation, MAP suspension, termination of MAP privileges, and the role of the MAP lender review board.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael McCullough, Director, Office of Multifamily Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1142

RIN: 2502-AI01

1489. HOSPITAL MORTGAGE INSURANCE PROGRAM (FR-4927)

Priority: Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715n(I); 12 USC 1715z to 7; 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 242

Legal Deadline: None

Abstract: This rule would revise the Department's regulations governing the insurance of mortgages on hospitals. The revision adds new requirements to

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Proposed Rule Stage

the regulations to reflect statutory changes and changes in business practices with respect to the construction and operation of hospitals.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Christopher Boesen, Office of Insured Health Care Facilities, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0599

RIN: 2502-AI22

1490. • DISPOSITION OF HUD-OWNED MULTIFAMILY PROJECTS; PURCHASER'S COMPLIANCE WITH STATE AND LOCAL HOUSING LAWS AND REQUIREMENTS (FR-4941)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701 to 1715z-21; 42 USC 3535(d); 42 USC 3535(i)

CFR Citation: 24 CFR 200; 24 CFR 290

Legal Deadline: None

Abstract: This rule would revise HUD's regulations governing the disposition of HUD-owned multifamily projects to implement recent statutory amendments made by the Consolidated Appropriations Act, 2004. The rule requires all purchasers of multifamily projects from HUD, either at foreclosure sale or HUD-owned sale, be processed and approved for acceptability to do business with HUD under HUD's Previous Participation Review and Clearance procedure. All purchasers must certify to HUD that other properties they may have participation in are in substantial compliance with State or local government housing statutes, regulations, ordinances, and codes.

State and local governmental agencies will not be required to be approved under this procedure. However, if the State or local governmental agency subsequently sells the project to a third party that is not a governmental agency, the third party must be processed and approved under this process. If the State or local governmental agency sells

the project acquired from HUD to a third party that is not a governmental agency, the third party must make the certification of substantial compliance.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations

Government Levels Affected: None

Agency Contact: Beverly Miller, Director, Office of Multifamily Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3730

RIN: 2502-AI24

1491. DUE DILIGENCE/QUALITY CONTROL PLANS (FR-4846)

Priority: Other Significant

Legal Authority: 12 USC 1709(b); 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This regulation would require all FHA approved mortgagees and Loan Correspondents to have in place and implement a Quality Control Plan for the origination and/or servicing of FHA insured mortgages. The Quality Control Plan would have to contain a due diligence procedure to evaluate whole loans or servicing rights purchases. The due diligence would also include specific procedures for reviewing the source of the loans and require an analysis of portfolio risk through a loan level review and sampling methodology. Appropriate actions if a loan or a percentage of loans is not in compliance with FHA requirements would also be required.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing

Phone: 202 708-1672

RIN: 2502-AI02

1492. DISPOSITION OF HUD-OWNED SINGLE FAMILY ASSETS IN ASSET CONTROL AREAS (FR-4471)

Priority: Other Significant

Legal Authority: 12 USC 1710(h); 42 USC 3535(d)

CFR Citation: 24 CFR 291

Legal Deadline: None

Abstract: This rule would implement a new program to make available HUD-held single family assets for sale to governmental organizations and nonprofits for use in homeownership programs to revitalize certain areas. Under the new program, HUD would identify revitalization areas by applying specified economic and housing criteria. Eligible purchasers, that is, units of general local government and nonprofit organizations, may establish an Asset Control Area within a revitalization area and commit by contract to purchase, at a discount, all HUD-owned single family homes that become available in that area for a time frame specified by the contract. By statute, these purchasers are to be given preference. The entities would then improve and sell the assets pursuant to a HUD-approved plan to encourage homeownership and revitalize the area.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ivery Himes, Asset Control Program Manager, Office of Asset Management, Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AH40

1493. DISPOSITION OF HUD-ACQUIRED SINGLE FAMILY PROPERTY: GOOD NEIGHBOR NEXT DOOR SALES PROGRAMS (FR-4712)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)

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CFR Citation: 24 CFR 291**Legal Deadline:** None

Abstract: This proposed rule would establish regulations for HUD's new Good Neighbor Next Door Sales Program. The requirements for the new program are closely modeled on those for HUD's Officer and Teacher Next Door Sales Programs. The Good Neighbor Next Door Sales Program would replace, and build upon the success of, these two existing sales programs. The purpose of the Good Neighbor Next Door Sales Program is to improve the quality of life in distressed urban communities by encouraging local law enforcement officers, teachers, and firefighters/emergency responders whose daily responsibilities and duties represent a nexus to the needs of the community, to purchase and live in homes in these communities. Although the requirements governing the new Good Neighbor Next Door Sales Program would be similar to the existing requirements for the Officer and Teacher Next Door Sales Programs, HUD is also proposing to make several important modifications and improvements to the current requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** Local, State, Tribal

Agency Contact: Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing, Room 9172
Phone: 202 708-1672

RIN: 2502-AH72**1494. • DISPOSITION OF HUD-ACQUIRED SINGLE FAMILY PROPERTY AMENDMENTS (FR-4952)****Priority:** Other Significant

Legal Authority: 42 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d); ...

CFR Citation: 24 CFR 291**Legal Deadline:** None

Abstract: This proposed rule would simplify and reorganize the current regulations at subparts A, B and C of 24 CFR part 291 into a user-friendlier format and provide for changes anticipated to arise from the repurchase of management and marketing services.

Timetable:

Action	Date	FR Cite
NPRM	05/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Wanda Sampedro, Deputy Director, Asset Management Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AI27**1495. • MANUFACTURED HOMES INSTALLATION STANDARDS (FR-4928)****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 3535(d); 42 USC 5403; 42 USC 5404; 42 USC 5424

CFR Citation: 24 CFR 3280; 24 CFR 3285

Legal Deadline: Final, Statutory, Twelve months after receiving standards.

Abstract: This rule would establish new Model Manufactured Home Installation Standards (the Installation Standards) for the installation of new manufactured homes and would incorporate field completion standards for the final construction and assembly of manufactured homes at the site. The National Manufactured Housing Construction and Safety Standards Act of 1974 as amended by the Manufactured Housing Improvement Act of 2000 (the Act), requires that the Secretary establish model Installation Standards within 12 months of receiving proposed installation standards from the Manufactured Housing Consensus Committee (MHCC). HUD has reviewed the MHCC's recommended installation standards and a draft of the proposed rule with the MHCC and is in agreement with a significant majority of the recommendations. Within this rule, HUD is providing its proposed

Installation Standards and a detailed summary of its recommended changes to the MC's proposal.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None

Agency Contact: William W. Matchneer III, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AI25**1496. MANUFACTURED HOUSING INSTALLATION PROGRAM (FR-4812)****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined

Legal Authority: 42 USC 3535(d); 42 USC 5401 et seq

CFR Citation: 24 CFR 3285

Legal Deadline: Final, Statutory, December 27, 2005, Program to be established not later than 5 years after enactment of P.L. 106-569.

Abstract: By December 2005, HUD is required under the Manufactured Housing Improvement Act of 2000 to establish and implement an installation program that includes: (1) Installation standards; (2) the training and licensing of manufactured home installers; and (3) inspection of the installation of manufactured homes. HUD's program will be implemented in States that do not have their own qualifying installation program.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11448
ANPRM Comment Period End	04/24/03	
NPRM	02/00/05	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Undetermined**Federalism:** Undetermined

HUD—OH

Proposed Rule Stage

Agency Contact: William W. Matchneer III, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, Office of Housing Development, Office of Housing
Phone: 202 708–6401
RIN: 2502–AH97

1497. MANUFACTURED HOUSING DISPUTE RESOLUTION PROGRAM (FR–4813)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 5401 et seq

CFR Citation: 24 CFR 3288

Legal Deadline: Final, Statutory, December 27, 2005, Program to be established not later than 5 years after enactment of P.L. 106–569.

Abstract: Under the Manufactured Housing Improvement Act of 2000, HUD is required to establish a program for the timely resolution of disputes among manufacturers, retailers, and installers of manufactured homes regarding responsibility for defects in manufactured homes, and for the issuance of appropriate orders for the correction or repair of defects in manufactured homes.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11452
ANPRM Comment Period End	04/24/03	
NPRM	02/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W. Matchneer III, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708–6401
RIN: 2502–AH98

1498. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR–4886)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 5403; 42 USC 5424

CFR Citation: 24 CFR 3280

Legal Deadline: NPRM, Statutory, To be published within 30 days of receipt from MHCC.

Abstract: This rule would amend the Federal Manufactured Home Construction and Safety Standards (the Construction Safety Standards) by adopting recommendations made to the Secretary by the Manufactured Home Consensus Committee (MHCC). The Manufactured Housing Improvement Act of 2000 (Improvement Act) requires the Secretary to cause to have published in the Federal Register any proposed revised Construction and Safety Standard submitted by the MHCC within 30 calendar days after receipt.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W. Matchneer III, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708–6401
RIN: 2502–AI12

1499. MANUFACTURED HOUSING ON-SITE CONSTRUCTION (FR–4885)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 3282

Legal Deadline: None

Abstract: This rule would allow limited on-site completion of new manufactured homes without requiring, under certain circumstances, manufacturers to obtain alternate construction approvals under the current regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W. Matchneer III, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708–6401

RIN: 2502–AI13

Department of Housing and Urban Development (HUD) Office of Housing (OH)

Final Rule Stage

1500. REVISED GUIDELINES FOR PREVIOUS PARTICIPATION CERTIFICATION (FR–4870)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 1702 to 1715 z–21; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: The purpose of the Previous Participation Certification process is to

assure that prospective participants in HUD's Multifamily Housing Programs have a history of carrying out their past financial, legal, and administrative obligations in a satisfactory and timely manner. This revision to 24 CFR 200.217(a) sets the effective date when all participants will be required to file their Previous Participation Certificates via HUD's secure Internet site into the Active Partner Performance System web application.

Timetable:

Action	Date	FR Cite
NPRM	04/19/04	69 FR 21035
NPRM Comment Period End	05/19/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William Hill, Director of Policy and Participations Standards

HUD—OH

Final Rule Stage

Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0614

RIN: 2502-AI10

1501. AMENDMENTS TO PROHIBITION OF PROPERTY FLIPPING IN HUD'S SINGLE FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4911)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: HUD's regulations addressing the predatory practice of property "flipping" establish certain time restrictions regarding the resale of properties whose purchase is being financed with Federal Housing Administration (FHA) mortgage insurance. The regulations include exceptions from the time restrictions for properties acquired and subsequently sold by FHA. This rule broadens the exceptions to include: (1) all other Federal agencies that acquire properties as a result of a function of their programs and quickly market and sell these acquired properties; and (2) properties that are acquired through inheritance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AI18

1502. • ELIGIBILITY OF ADJUSTABLE RATE MORTGAGES (FR-4946)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715z-16; 12 USC 1715u; 42 USC 3535(d); ...

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule makes available a new adjustable rate mortgage (ARM) product. In accordance with statutory authority, this rule enables the Secretary to insure five-year hybrid ARMs with interest rates adjustable up to two percentage points annually (this type of mortgage is known as a 5/2 ARM). The lifetime cap on annual interest rate adjustments for five-year ARMs is set at six percentage points.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AI26

1503. DISCIPLINARY ACTIONS AGAINST HUD-QUALIFIED REAL ESTATE BROKERS (FR-4871)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; 42 USC 1441 to 1441a; 42 USC 3535(d)

CFR Citation: 24 CFR 291

Legal Deadline: None

Abstract: The purpose of this rule is to address real estate broker participation in predatory lending practices targeted at Federal Housing Administration (FHA) borrowers. This rule includes measures to prevent property "flipping," inflated appraisals, falsified gift letters, and fraudulent underwriting. This rule is similar to other removal rules for appraisers, 203k consultants, and nonprofits. (Each has a separate approval/removal rule.) It allows HUD to have a shortened procedure for real estate brokers than 24 CFR part 24 Suspension and Debarment procedures.

Timetable:

Action	Date	FR Cite
NPRM	09/17/04	69 FR 56118
NPRM Comment Period End	11/16/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Wanda Sampedro, Deputy Director, Asset Management Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AI08

1504. • DEBENTURE INTEREST PAYMENT CHANGES (FR-4945)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule revises the regulations under the single family mortgage insurance program with respect to the payment of interest at the debenture rate for mortgage insurance claims. The revisions implement a recent statutory amendment to the National Housing Act that provides for a change in the calculation of the debenture interest on mortgage insurance claims paid in cash.

Timetable:

Action	Date	FR Cite
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Leslie Bromer, Mortgage Servicing Specialist, Asset Management and Disposition Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AI29

1505. NONPROFIT ORGANIZATION PARTICIPATION IN FHA SINGLE FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4702)

Priority: Other Significant

Legal Authority: 12 USC 1701 et. seq.; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d); ...

CFR Citation: 24 CFR 200; 24 CFR 203; 24 CFR 291

Legal Deadline: None

HUD—OH

Final Rule Stage

Abstract: This final rule establishes conditions and procedures for the successful participation by nonprofit organizations in Federal Housing Administration (FHA) single family mortgage insurance programs. The final rule requires nonprofit organizations that obtain insured financing from the FHA for 10 or more properties in a Federal fiscal year to prepay at least 80 percent of that total number of FHA-insured mortgages by the end of the second fiscal year following the fiscal year in which the FHA-insured financing was acquired. Furthermore, the final rule will not permit nonprofit organizations to obtain FHA insurance for mortgages secured by single family properties with more than a specified number of living units, and establish additional underwriting guidelines on such properties. The rule also codifies the existing practice to approve as participating nonprofit organizations those organizations that provide evidence of two years to tax-exempt status under the Internal Revenue Code of 1986, and two consecutive years of housing development experience within the previous five years. The final rule follows publication of a February 13, 2004, proposed rule and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	02/13/04	69 FR 7324
NPRM Comment Period End	04/13/04	
Final Action	04/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Organizations**Government Levels Affected:** None

Agency Contact: Donna Tomposki, Housing Program Policy Specialist Coordinator, Department of Housing and Urban Development, Office of Housing, Department of Housing and Urban Development, Office of Housing, 451 7th Street, SW, Washington, DC 20410
Phone: 202 708-0317

RIN: 2502-AH71**1506. DISTRIBUTION OF TAX CREDIT PROCEEDS (FR-4792)****Priority:** Other Significant**Legal Authority:** 12 USC 1702 to 1715z-21; 42 USC 3535(d)**CFR Citation:** 24 CFR 200**Legal Deadline:** None

Abstract: This rule amends 24 CFR 200.54(b) to provide that low-income housing tax credit syndication proceeds and historic tax credit syndication proceeds will be treated in the same manner as funds provided by a grant or loan from a Federal, State, or local government agency or instrumentality to the extent that these proceeds do not have to be fully disbursed before the disbursement of mortgage proceeds.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/30/03	68 FR 44844
Interim Final Rule Effective	08/29/03	
Interim Final Rule Comment Period End	09/29/03	
Final Action	11/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael McCullough, Director, Office of Multifamily Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1142

RIN: 2502-AH91**1507. HUD MULTIFAMILY RENTAL AND HEALTH CARE FACILITY CLOSING DOCUMENTS (FR-4883)****Priority:** Other Significant**Legal Authority:** 12 USC 1702 to 1715z-21; 42 USC 3535(d)**CFR Citation:** 24 CFR 200**Legal Deadline:** None

Abstract: This rule will amend certain Federal Housing Administration (FHA) regulations to update these regulations to reflect current HUD policy in the area of multifamily rental projects and health care facilities. In developing a set of comprehensive documents for use in the FHA mortgage programs for multifamily rental projects and health care facilities (excluding hospitals),

HUD identified outdated language and policies that not only needed to be changed in closing documents but in HUD's regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/02/04	69 FR 46210
NPRM Comment Period End	10/01/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gains E. Hopkins, Office of General Counsel, Department of Housing and Urban Development
Phone: 202 708-4090

RIN: 2502-AI11**1508. REVISIONS TO FHA CREDIT WATCH TERMINATION INITIATIVE (FR-4625)****Priority:** Other Significant**Legal Authority:** 12 USC 1703; 12 USC 1709; 12 USC 1715b; 42 USC 3535(d)**CFR Citation:** 24 CFR 202**Legal Deadline:** None

Abstract: On April 1, 2003, HUD published a proposed rule to amend the regulations for the Federal Housing Administration (FHA) Credit Watch Termination Initiative. Among other changes, HUD proposed to provide for a fully computerized Credit Watch status notification process through use of the FHA Neighborhood Watch Early Warning System; remove the regulatory "cap" on the default and claim rates for placing a mortgagee on Credit Watch status; prohibit a mortgagee that has received a notice of proposed termination from establishing a new branch in the lending area covered by the proposed termination; and describe the procedures a terminated mortgagee must follow to have its origination approval agreement reinstated. The interim rule follows publication of the April 1, 2003, proposed rule, and takes into consideration the public comments on the proposed rule. In addition, this rule further clarifies the applicability of the Credit Watch Termination Initiative to underwriting mortgagees, and requests comments on the regulatory provisions regarding underwriting mortgagees.

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Timetable:

Action	Date	FR Cite
NPRM	04/01/03	68 FR 15906
NPRM Comment Period End	06/02/03	
Interim Final Rule	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, Office of Housing, P3214, 451 7th Street SW., Washington, DC 20410
Phone: 202 708–1515

RIN: 2502–AH60

1509. UP–FRONT MORTGAGE INSURANCE PREMIUMS: REMITTANCE REQUIREMENTS (FR–4690)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 12 USC 1709

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule will change the remittance period of mortgage insurance premiums. The rule will also implement a more precise definition of when the remittance period begins.

Timetable:

Action	Date	FR Cite
NPRM	08/21/02	67 FR 54312
NPRM Comment Period End	10/21/02	
Final Rule	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708–2121

RIN: 2502–AH67

1510. UP–FRONT MORTGAGE INSURANCE PREMIUMS FOR LOANS INSURED UNDER 24 CFR 203(K) AND 234(C) OF THE NATIONAL HOUSING ACT (FR–4749)

Priority: Economically Significant

Legal Authority: 12 USC 1709(c); 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule amends 24 CFR part 203 to require an up-front payment at the beginning of the loan of the insurance premium for loans insured under sections 203(k) and 234(c) of the National Housing Act. Formerly, these loans required only monthly premium payments.

Timetable:

Action	Date	FR Cite
NPRM	10/07/03	68 FR 58006
NPRM Comment Period End	12/08/03	
Final Action	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Beavers, Deputy Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708–2121

RIN: 2502–AH82

1511. ELIGIBILITY OF MORTGAGES ON HAWAIIAN HOMELANDS INSURED UNDER SECTION 247 (FR–4779)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule would amend the regulations that define the terms “native Hawaiian” and “eligibility of mortgagor” to conform them to the revised definitions enacted by a recent statutory change to the National Housing Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/15/04	69 FR 33524

Action	Date	FR Cite
Interim Final Rule Comment Period End	08/16/04	
Interim Final Rule Effective	07/15/04	
Final Action	11/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708–2121

RIN: 2502–AH92

1512. FHA TOTAL MORTGAGE SCORECARD (FR–4835)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule will codify policies and procedures that lenders and automated underwriting system vendors must observe to use the FHA Technology Open To All Lenders (TOTAL) mortgage scorecard. The TOTAL scorecard assesses the creditworthiness of prospective borrowers by evaluating certain mortgage application and credit variables that have been statistically proven to accurately predict the likelihood of default on an FHA-insured mortgage. Lenders using the TOTAL scorecard, in accordance with instructions described in the rule, will be afforded certain relief from existing documentation and credit policy requirements. This rule follows publication of a November 21, 2003, interim rule. HUD did not receive any public comments on the interim rule. Accordingly, HUD is adopting the interim rule, as corrected by a technical correction published on January 2, 2004, without change.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/21/03	68 FR 65824
Interim Final Rule Effective	12/22/03	

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Action	Date	FR Cite
Interim Final Rule Comment Period End	01/20/04	
Final Action	02/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vance Morris,
Director, Office of Single Family
Program Development, Department of
Housing and Urban Development,
Office of Housing
Phone: 202 708–2121

RIN: 2502–AI00**1513. INSURANCE FOR MORTGAGES
TO REFINANCE EXISTING HECMS
(FR–4667)****Priority:** Other Significant**Legal Authority:** 12 USC 1715b; 12
USC 1715z to 1720; 42 USC 3535(d)**CFR Citation:** 24 CFR 206**Legal Deadline:** None

Abstract: On March 25, 2004, HUD published an interim rule implementing certain statutory changes to the Home Equity Conversion Mortgage (HECM) Program made by section 201 of the American Homeownership and Economic Opportunity Act of 2000 (AHEOA). Among other changes, the rule provided for a reduced initial mortgage insurance premium (MIP) on HECM refinancings. The interim rule requested comments on the MIP provision of the rule. This final rule follows publication of the March 25, 2004, interim rule. HUD did not receive any public comments on the interim regulatory change regarding the reduced MIP for HECM refinancings and, therefore, is adopting the interim rule without change.

Timetable:

Action	Date	FR Cite
NPRM	06/05/01	66 FR 30278
NPRM Comment Period End	07/05/01	
Interim Final Rule	03/25/04	69 FR 15586
Interim Final Rule Effective	04/26/04	
Interim Final Rule Comment Period End	05/24/04	
Final Action	02/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vance Morris,
Director, Office of Single Family
Program Development, Department of
Housing and Urban Development,
Office of Housing
Phone: 202 708–2121

RIN: 2502–AH63**1514. RENEWAL OF EXPIRING
SECTION 8 PROJECT–BASED
ASSISTANCE CONTRACTS (FR–4551)****Priority:** Other Significant**Legal Authority:** 12 USC 1715z–1; 12
USC 1735f–19(b); 42 USC 1437f (c)(8);
42 USC 1437f(t) ; 42 USC 3535(d); 42
USC 1437f note; ...**CFR Citation:** 24 CFR 401; 24 CFR 402**Legal Deadline:** None

Abstract: This rule will revise interim part 402, which was published on September 11, 1998, together with part 401, which established the mark-to-market program. Subsequently HUD decided to separate the two parts and publish final part 401 separately, although the current rule makes minor conforming amendments to part 401 as well. Final part 402 will set forth the regulations governing the renewal of expiring Section 8 project-based assistance contracts, whether the project's rents are above or below market, except for renewals made as part of a mark-to-market restructuring plan under part 401.

Timetable:

Action	Date	FR Cite
Final Rule	01/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Willie Spearmon,
Director, Office of Housing Assistance
and Grant Administration, Department
of Housing and Urban Development,
Office of Housing
Phone: 202 708–3000

RIN: 2502–AH47**1515. MIXED FINANCE
DEVELOPMENT FOR SUPPORTIVE
HOUSING FOR THE ELDERLY OR
PERSONS WITH DISABILITIES AND
OTHER CHANGES TO 24 CFR PART
891 (FR–4725)****Priority:** Other Significant**Legal Authority:** PL 106–569, sec 831
to 834 (Am. Homeownership &
Economic Opportunity Act of 2000)**CFR Citation:** 24 CFR 891**Legal Deadline:** None

Abstract: This rule permits for-profit limited partners to partner with a nonprofit general partner in developing assisted housing for elderly and disabled using a mixed finance model, where HUD funding and non-Federal funding sources are combined in a single project. This rule would implement this program, providing for rules for the use of different funding sources, application procedures, procedures for the dispersal of funds, and other matters involved in program implementation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/01/03	68 FR 67316
Interim Final Rule Effective	12/31/03	
Interim Final Rule Comment Period End	01/30/04	
Final Action	03/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Aretha Williams,
Housing Project Manager, Department
of Housing and Urban Development,
Office of Housing, Room 6142,
Washington, DC 20410
Phone: 202 708–2866

RIN: 2502–AH83**1516. MANUFACTURED HOUSING
PROGRAM: MINIMUM PAYMENTS TO
STATES (FR–4868)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42
USC 5419; 42 USC 5424**CFR Citation:** 24 CFR 3284**Legal Deadline:** None

Abstract: This rule would revise the minimum payments to States approved

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as State Administrative Agencies under the National Manufactured Housing Construction and Safety Standards Act of 1974 (Act)(as amended), in order to provide for a more equitable guarantee of minimum funding from the Department's appropriation for this program and to avoid the differing per-unit payments to the States that have occurred under the present rule. This rule would amend 24 CFR 3284.10 to base the minimum payments to States

upon their participation in production or siting of new manufactured homes.

Timetable:

Action	Date	FR Cite
NPRM	03/01/04	69 FR 9740
NPRM Comment Period End	03/31/04	
Final Action	02/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W. Matchneer III, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AI16

Department of Housing and Urban Development (HUD) Office of Housing (OH)

Long-Term Actions

1517. ESTABLISHMENT OF LOAN OFFICER REGISTRY AND ESTABLISHMENT OF SERVICING APPROVAL AGREEMENTS (FR-4764)

Priority: Other Significant

Legal Authority: 12 USC 1703; 12 USC 1709; 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 202

Legal Deadline: None

Abstract: This rule would authorize the Department to establish a loan officer registry and a servicing approval agreement for FHA-approved lenders. The loan officer registry would limit registration of a loan officer to one FHA-approved lender at a time and give the Department the ability to monitor a loan officer. The rule would provide for sanctions against loan officers for poor performance. Also, the rule would clarify that a loan officer must be an employee of a lender. This rule also would create a servicing approval agreement that would require FHA approval. The Department believes that the servicing agreement would enhance its authority to supervise the servicing of FHA-insured mortgages and to take action against mortgagees that fail to perform required servicing functions.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Phillip A. Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, Office of Housing, P3214, 451 7th Street SW., Washington, DC 20410
Phone: 202 708-1515

RIN: 2502-AH88

1518. HOME EQUITY CONVERSION MORTGAGES (HECM): COOPERATIVE HOUSING DEVELOPMENTS (FR-4777)

Priority: Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 206

Legal Deadline: None

Abstract: This rule would expand the Home Equity Conversion Mortgage (HECM) program to cover approved cooperative housing developments. The rule would implement an amendment to the National Housing Act that authorizes HUD to insure HECM mortgages in cooperative housing developments. The expansion of the HECM program, in the Department's view, would contribute to the effort to broaden reverse mortgage financing opportunities for elderly homeowners.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH89

1519. E-ENDORSEMENT OF FHA-INSURED MORTGAGES (FR-4789)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715z-1

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule would implement the Federal Housing Administration (FHA) electronic endorsement program for all mortgages eligible for insurance endorsement under the Direct Endorsement program. The program will reduce FHA's insurance risk by collecting additional information at the loan-level to target loans and lenders for post-endorsement technical reviews, and by employing fraud prevention tools. The program will also reduce government costs derived from storing case binders.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Beavers, Deputy Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH95

1520. RESPA—IMPROVING THE PROCESS FOR OBTAINING MORTGAGES (FR-4727)

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 12 USC 2601 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: This rule would establish a new framework for borrower disclosures under RESPA that would: (1) Address the issue of mortgage broker compensation, specifically the

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problem of lender payments to mortgage brokers, by fundamentally changing the way in which such lender payments in brokered mortgage transactions are recorded and reported to borrowers; (2) significantly improve HUD's Good Faith Estimate (GFE) settlement cost disclosure, and amend HUD's related RESPA regulations, to make the GFE firmer and more usable, to facilitate shopping for mortgages, and to avoid unexpected charges to borrowers at settlement; and (3) remove regulatory barriers to allow guaranteed

packages of settlement services and mortgages to be made available to borrowers, to make borrower shopping for mortgages easier and further reduce settlement costs.

Timetable:

Action	Date	FR Cite
NPRM	07/29/02	67 FR 49134
NPRM Comment	10/28/02	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Gary Cunningham, Deputy Assistant Secretary of Regulatory Affairs & Manufactured Housing, Department of Housing and Urban Development, Office of Housing, 451 7th Street, SW, Washington, DC 20410
Phone: 202 708-6401

RIN: 2502-AH85

Department of Housing and Urban Development (HUD) Office of Housing (OH)

Completed Actions

1521. NONPROPRIETARY DATA SUBMITTED BY THE FEDERAL NATIONAL MORTGAGE ASSOCIATION (FANNIE MAE) AND THE FEDERAL HOME LOAN MORTGAGE CORPORATION (FREDDIE MAC) (FR-4796)

Priority: Other Significant

CFR Citation: 24 CFR 81

Completed:

Reason	Date	FR Cite
Notice	10/04/04	69 FR 59476
Notice Effective	10/04/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Fostek
Phone: 202 708-2224

RIN: 2502-AH96

1522. SECTION 223F SUPPLEMENTAL COST CERTIFICATION (FR-4793)

Priority: Other Significant

CFR Citation: 24 CFR 200

Completed:

Reason	Date	FR Cite
Withdrawn	09/17/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael McCullough

Phone: 202 708-1142

RIN: 2502-AH93

1523. STATE INSTALLATION REQUIREMENTS (FR-4877)

Priority: Other Significant

CFR Citation: 24 CFR 203.47f

Completed:

Reason	Date	FR Cite
Withdrawn	09/20/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Maynard Curry
Phone: 202 708-2676

RIN: 2502-AI07

1524. SECTION 236 EXCESS RENTAL CHARGES (FR-4689)

Priority: Other Significant

CFR Citation: 24 CFR 236

Completed:

Reason	Date	FR Cite
Final Action	09/01/04	69 FR 53558
Final Action Effective	10/01/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Janice Nimmer
Phone: 202 708-3944

RIN: 2502-AH68

1525. RELEASE OF INFORMATION TO TENANTS AND OTHER PARTIES PURSUANT TO MAHRA (FR-4531)

Priority: Other Significant

CFR Citation: 24 CFR 401

Completed:

Reason	Date	FR Cite
Withdrawn	09/17/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paige Warren
Phone: 202 708-0001

RIN: 2502-AH45

1526. LENDER ACCOUNTABILITY FOR APPRAISALS (FR-4722)

Priority: Other Significant

CFR Citation: 24 CFR 25; 24 CFR 203

Completed:

Reason	Date	FR Cite
Final Action	07/20/04	69 FR 43504
Final Action Effective	08/19/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Vance Morris
Phone: 202 708-2121

RIN: 2502-AH78

Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)

Proposed Rule Stage

**1527. EMPOWERMENT ZONES:
 RESIDENT BENEFIT AND ECONOMIC
 DEVELOPMENT STANDARDS FOR
 GRANTS (FR-4853)**

Regulatory Plan: This entry is Seq. No. 79 in part II of this issue of the **Federal Register**.

RIN: 2506-AC16

**1528. • SELF-HELP
 HOMEOWNERSHIP OPPORTUNITY
 PROGRAM (FR-4949)**

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 12805 note

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule would codify the requirements of the Self-Help Opportunity Program (SHOP) in HUD's regulations. The SHOP Program is designed to facilitate and encourage innovative homeownership opportunities on a national geographically diverse basis through self-help housing programs that require a significant amount of sweat equity by the homebuyer toward the construction or rehabilitation of dwellings. Among other topics, the rule will address sweat equity, volunteer labor, and provide definitions of low-income family income.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mary Kolesar, Director, Office of Affordable Housing Programs, Department of Housing and Urban Development, Office of Community Planning and Development Phone: 202 708-2470

RIN: 2506-AC18

**1529. HOUSING OPPORTUNITIES FOR
 PERSONS WITH AIDS (HOPWA)
 (FR-4708)**

Priority: Other Significant

Legal Authority: 42 USC 12901 et seq

CFR Citation: 24 CFR 574

Legal Deadline: None

Abstract: The Housing Opportunities for Persons With AIDS (HOPWA) program was authorized in 1990 by the AIDS Housing Opportunity Act, to provide States and localities with the programs and resources necessary to meet the housing needs of individuals and families with HIV/AIDS. The rule proposes to adjust the formula factor which determines the allocation of 25 percent of funds based on the metropolitan area's higher-than-average incidence of cases of AIDS, starting in

fiscal year 2005 and thereafter. In calculating the formula allocation, the proposed change would replace the one year standard for AIDS surveillance data used to determine the high AIDS incidence to a three year data standard. This change is intended to moderate unexpected one year increases or declines in a grantee's formula allocation and allow for continuity in grant funding. In addition, the regulation would update the HOPWA rental assistance requirements to make use of additional provisions and create additional options for grantees for operation of rental assistance programs. The changes would implement provisions used in other HUD programs, such as the Section 8 program, and thereby modernize the HOPWA regulations which were last updated in 1994.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David Vos, Director, Office of HIV/AIDS Housing, Department of Housing and Urban Development, Office of Community Planning and Development Phone: 202 708-1934

RIN: 2506-AC11

Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)

Final Rule Stage

**1530. MODIFICATION OF THE
 COMMUNITY DEVELOPMENT BLOCK
 GRANT DEFINITION FOR
 METROPOLITAN CITY AND OTHER
 CONFORMING AMENDMENTS
 (FR-4872)**

Priority: Other Significant

Legal Authority: 42 USC 5301 to 5320; 42 USC 3535(d)

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule revises the Community Development Block Grant (CDBG) program regulations by replacing the obsolete term "central city" with a new term "principal city" in the definition of "metropolitan city"

and other CDBG regulations referencing "central city." The described revisions are necessary because of the recent changes to the Office of Management and Budget's (OMB) Standards for defining Metropolitan Statistical Areas (MSAs) and the announcement in 2003 of new definitions for those areas using Census 2000 data. The rule updates the affected CDBG program regulations so that the terminology used by HUD is consistent with OMB standards and the purposes of the Housing and Community Development Act of 1974, as amended.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/12/03	68 FR 69580

Action	Date	FR Cite
Interim Final Rule Effective	01/12/04	
Interim Final Rule Comment Period End	02/10/04	
Final Action	12/00/04	

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Valerie Browne, Office of Entitlement Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development

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Final Rule Stage

Phone: 202 708-1577

RIN: 2506-AC15

1531. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: SMALL CITIES AND INSULAR AREAS PROGRAMS (FR-4919)**Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5301 to 5320**CFR Citation:** 24 CFR 570**Legal Deadline:** Other, Statutory, March 15, 2004, Section 501(g) of Public Law 108-186 requires regulations not later than 90 days after enactment.

Abstract: This rule establishes regulations to implement a legislative change moving Community Development Block Grant (CDBG) program assistance from section 107 (Special Purpose Grants) to section 106 of the Housing and Community Development Act of 1974, as amended. As in the past under the Special Purpose Grant Program, HUD will continue to make formula grants to insular area jurisdictions under the Insular CDBG program for activities which principally benefit low- and moderate-income persons, aid in the elimination of slums or blighting conditions, or meet other community development needs having a particular urgency. This rule codifies the amended statutory funding mechanism for allocation of CDBG funds to insular areas, includes the Insular Area CDBG program in subpart F, and streamlines that subpart by removing sections no longer necessary for the Small Cities CDBG program, identifies the process by which insular areas will now receive and report on grant funds, enables insular areas to apply for the Section 108 loan guarantee program, and establishes other applicable requirements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/10/04	69 FR 32774
Interim Final Rule Effective	07/12/04	
Interim Final Rule Comment Period End	08/09/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Stephen Rhodside, State & Small Cities Div., Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AC17

1532. CDBG PROGRAM FOR STATES: COMMUNITY REVITALIZATION STRATEGY REQUIREMENTS AND MISCELLANEOUS TECHNICAL AMENDMENTS (FR-4081)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912; 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5300 to 5320**CFR Citation:** 24 CFR 91; 24 CFR 570**Legal Deadline:** None

Abstract: This rule integrates the Community Revitalization Strategies concept with the State CDBG program. This concept will provide States additional flexibility in meeting certain requirements regarding the program's national objectives and public benefit. This rule also makes several technical amendments to correct errors from previous rulemaking and to enhance and clarify the regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/22/96	61 FR 54914
Interim Final Rule Effective	11/21/96	
Interim Final Rule Comment Period End	02/16/97	
Final Action	02/00/05	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AB83

1533. SUPPORTIVE HOUSING PROGRAM (FR-4616)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 11381; 42 USC 11389; 42 USC 3535(d)**CFR Citation:** 24 CFR 583**Legal Deadline:** None

Abstract: The Department of Housing and Urban Development is amending the Supportive Housing Program regulations. The regulations will be updated to clarify existing program requirements and to add new program requirements in accordance with recent statutory changes including requirements for some local matching funds and for permanent housing. Additionally, this rule will make the Supportive Housing Program regulations clearer and allow for the full flexibility of the McKinney Act.

Timetable:

Action	Date	FR Cite
NPRM	07/20/04	69 FR 43488
NPRM Comment Period End	09/20/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Local

Agency Contact: Mark Johnston, Director, Office of Special Needs Assistance Program, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1226

RIN: 2506-AC07

1534. PROHIBITION ON USE OF CDBG ASSISTANCE FOR JOB-PIRATING ACTIVITIES (FR-4556)**Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5301 to 5320**CFR Citation:** 24 CFR 570**Legal Deadline:** None

Abstract: This rule will implement section 588 of the Quality Housing and Work Responsibility Act of 1998 by revising HUD's regulations for the Community Development Block Grant (CDBG) program. Section 588 prohibits State and local governments from using CDBG funds for "job pirating" activities that are likely to result in significant job loss. Job pirating, in this context, refers to the use of CDBG funds to lure or attract a business and its jobs from one community to another community. The rule follows publication of an October 24, 2000, proposed rule, and

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takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	10/24/00	65 FR 63756
NPRM Comment Period End	12/26/00	
Interim Final Rule	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

Agency Contact: Richard J. Kennedy, Office of Block Grant Assistance, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-3587

RIN: 2506-AC04

1535. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REVISION OF CDBG ELIGIBILITY AND NATIONAL OBJECTIVE REGULATIONS (FR-4699)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 5301 et seq

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will improve the ability of entitlement communities and States' grant recipients to use Community Development Block Grant (CDBG) funds for brownfields activities. The rule will clarify the eligibility of activities involving the cleanup and development of environmentally contaminated properties under section 105(a) of the Housing and Community Development Act of 1974. The rule also will increase CDBG recipients' flexibility to undertake activities meeting the national objective of preventing or eliminating slums or blighting conditions. The criteria for meeting the slum/blight national objective will be revised to specifically recognize economic obsolescence of buildings and the presence of environmental contaminants as blighting influences on an area or property. This rule will further clarify the list of activities that may be undertaken to address the slum/blight national objective criteria on a spot basis. Finally, this rule makes corresponding changes in the eligibility regulations governing the Section 108

Loan Guarantee component of the CDBG program.

Timetable:

Action	Date	FR Cite
NPRM	07/09/04	69 FR 41434
NPRM Comment Period End	09/07/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local, State

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AC12

Department of Housing and Urban Development (HUD)

Final Rule Stage

Government National Mortgage Association (GNMA)

1536. REMOVAL OF REGULATION SPECIFYING MINIMUM FACE VALUE OF GINNIE MAE SECURITIES (FR-4856)

Priority: Other Significant

Legal Authority: 12 USC 1721(g); 12 USC 1723(a); 42 USC 3535(d)

CFR Citation: 24 CFR 320

Legal Deadline: None

Abstract: This rule would remove the regulation that specifies the current minimum face amount of any security

issued by the Government National Mortgage Association (Ginnie Mae). The proposed removal of the regulation would allow Ginnie Mae to offer alternative denominations of its securities.

Timetable:

Action	Date	FR Cite
NPRM	04/13/04	69 FR 19746
NPRM Comment Period End	06/14/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Thomas R. Weakland, Vice President, Department of Housing and Urban Development, Government National Mortgage Association
Phone: 202 708-2884

RIN: 2503-AA17

Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Proposed Rule Stage

1537. CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4748)

Priority: Other Significant

Legal Authority: 42 USC 3601 to 3619; 42 USC 3535(d)

CFR Citation: 24 CFR 115

Legal Deadline: None

Abstract: The Fair Housing Assistance Program (FHAP) provides assistance to State and local fair housing enforcement agencies to build an intergovernmental enforcement structure to further fair housing. HUD provides assistance to State and local fair housing enforcement agencies that administer fair housing laws that are substantially equivalent to the Fair Housing Act (title VIII of the Civil Rights Act of 1968; 42 USC 3601-3619). The FHAP program provides support for complaint processing, training, technical assistance, education and outreach, data and information systems, and other activities that will further fair housing within the State or local agency's jurisdiction. HUD intends to update its part 115 regulations with respect to both the certification of substantially equivalent agencies and the overall administration of the FHAP program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Agency Contact: Myron Newry, Director, FHIP/FHAP Support Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
 Phone: 202 708-0800

RIN: 2529-AA90

1538. ECONOMIC OPPORTUNITIES FOR LOW- AND VERY-LOW-INCOME PERSONS (FR-2898)

Priority: Other Significant

Legal Authority: 12 USC 1701u; 42 USC 1450; 42 USC 3301; 42 USC 3535(d)

CFR Citation: 24 CFR 135

Legal Deadline: None

Abstract: The regulations at 24 CFR part 135 were revised substantially to incorporate the statutory amendments in the Housing and Community Development Act of 1992, to reflect certain changes in the design of the Department's programs that are subject

to the section 3 regulations, to clarify the obligations of individuals and entities subject to the requirements of section 3, and to simplify the Department's administration of section 3 requirements. The final rule may make further revisions in response to public comment.

Timetable:

Action	Date	FR Cite
NPRM	10/08/93	58 FR 52534
Notice	11/09/93	58 FR 59423
Notice Comment Period End	12/08/93	
Interim Final Rule	06/30/94	59 FR 33886
Interim Final Rule Effective	08/01/94	
Interim Final Rule Comment Period End	08/29/94	
Extension of Effective Period of Interim Rule	05/31/95	60 FR 28325
Extension Effective	06/30/96	
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local

Agency Contact: Charles Wilson, Office of Economic Opportunity, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
 Phone: 202 708-3685

RIN: 2529-AA49

Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Final Rule Stage

1539. FAIR HOUSING ACT REGULATION: CONFORMING AMENDMENT; UPDATE TO REFLECT CURRENT EDITION OF AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) (FR-4554)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d); 42 USC 3600 to 3620

CFR Citation: 24 CFR 100

Legal Deadline: None

Abstract: Subpart D of HUD's Fair Housing Act regulations (24 CFR part 100), which address the accessibility requirements of the Fair Housing Act, has not been updated since 1991. These regulations reference compliance with

the building standards of the American National Standards Institute (ANSI), but the reference to the ANSI edition of 1986 has long been superseded by two more recent editions of 1992 and 1998. Although parties subject to the Fair Housing Act regulations may continue to refer to the 1986 edition of ANSI, the regulations need to be updated to also offer compliance with the 1992 and 1998 editions as a safe harbor for compliance. This rule will update the regulations to provide that compliance with the appropriate requirements of the 1986, 1992, or 1998 editions of ANSI A117.1 suffices to satisfy the accessibility requirements of the Fair Housing Act.

Timetable:

Action	Date	FR Cite
Notice	03/23/00	65 FR 15740
Interim Final Rule	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Cheryl Kent, Special Advisor for Disability Policy, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
 Phone: 202 708-2333

RIN: 2529-AA88

Department of Housing and Urban Development (HUD)
Office of Administration (OA)

Proposed Rule Stage**1540. HUD ACQUISITION REGULATION (FR-4705)****Priority:** Other Significant**Legal Authority:** 40 USC 486(c); 41 USC 251; 42 USC 3535(d)**CFR Citation:** 48 CFR 2401**Legal Deadline:** None

Abstract: This rule will implement miscellaneous changes to the HUD Acquisition Regulation (HUDAR) including but not limited to corrections of regulatory citations due to revisions

made to the Federal Acquisition Regulation (FAR) since the last publication of the HUDAR; revisions reflecting changes in the Department's requirements regarding organizational conflict of interest, ratification of unauthorized commitments, and disclosure of information provided to contractors.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Edward L. Girovasi Jr., Director, Policy & Field Operations Division, Office of the Chief Procurement Officer, Department of Housing and Urban Development, Office of Administration
 Phone: 202 708-0294

RIN: 2535-AA26

Department of Housing and Urban Development (HUD)
Office of the Inspector General (HUDIG)

Proposed Rule Stage**1541. • OFFICE OF INSPECTOR GENERAL SUBPOENAS AND PRODUCTION IN RESPONSE TO SUBPOENAS OR DEMANDS OF COURTS OR OTHER AUTHORITIES (FR-4942)****Priority:** Substantive, Nonsignificant**Legal Authority:** Inspector General Act of 1978, as amended (5 USC app); 42 USC 3535(d); 42 USC 704**CFR Citation:** 24 CFR 2004**Legal Deadline:** None

Abstract: This proposed rule would amend HUD's Office of Inspector

General's (OIG's) regulations to provide an appellate review procedure regarding the OIG's responses to subpoenas issued to OIG employees requesting documents or testimony in legal proceedings where the OIG is not a party. The establishment of an appellate proceeding is designed to ensure both a thorough review process by the OIG and a complete opportunity for a party or person to take formal exception to the OIG's determination.

Timetable:

Action	Date	FR Cite
NPRM	02/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Bryan Saddler, Counsel to the Inspector General, Department of Housing and Urban Development, Office of the Inspector General, Room 8260, 451 7th Street, SW, Washington, DC 20410
 Phone: 202 708-1613

RIN: 2508-AA14

Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)

Proposed Rule Stage**1542. CAPITAL FUND PROGRAM (FR-4880)**

Regulatory Plan: This entry is Seq. No. 80 in part II of this issue of the **Federal Register**.

RIN: 2577-AC50**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Dominique Blom, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing
 Phone: 202 401-8812

RIN: 2577-AC55**1543. STREAMLINED MIXED FINANCE APPLICATION REVIEW (FR-4924)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1437v; 42 USC 3535(d)**CFR Citation:** 24 CFR 941**Legal Deadline:** None

Abstract: This rule will streamline the document submission process currently required by 24 CFR 941.610 by substituting certifications for a number of currently required documents.

1544. SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (FR-4884)**Priority:** Other Significant**Legal Authority:** 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 985**Legal Deadline:** None

Abstract: This rule will revise the way HUD measures PHAs. Many self-certified indicators will be eliminated. The Section 8 Management Assessment Program (SEMAP) certification submitted by the PHA would be eliminated. All remaining indicators would be measured through PIC and other standard sources of data.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

HUD—PIH

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gerald J. Benoit, Director, Housing Voucher Management and Operations, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC52**1545. OPERATING FUND ALLOCATION FORMULA (FR-4874)**

Regulatory Plan: This entry is Seq. No. 81 in part II of this issue of the **Federal Register**.

RIN: 2577-AC51**1546. NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT (NAHASDA): REVISIONS TO THE INDIAN HOUSING BLOCK GRANT PROGRAM FORMULA (FR-4938)**

Regulatory Plan: This entry is Seq. No. 82 in part II of this issue of the **Federal Register**.

RIN: 2577-AC57**1547. STREAMLINING PUBLIC HOUSING OPERATIONS, INCLUDING RESIDENT PARTICIPATION (FR-4657)****Priority:** Other Significant

Legal Authority: 42 USC 1437c-1; 42 USC 1437r; 42 USC 1437t; 42 USC 1437z-6; 42 USC 3535(d); 42 USC 1437d; 42 USC 1437g; 42 USC 1437l; 42 USC 1437

CFR Citation: 24 CFR 964; 24 CFR 966**Legal Deadline:** None

Abstract: This rule would update existing provisions of 24 CFR 964 and 966 and incorporate new provisions of the Quality Housing and Work Responsibility Act of 1998 related to resident/tenant participation, tenant management of public housing, direct funding of Resident Management Corporations, and the ROSS program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations**Government Levels Affected:** None

Agency Contact: Glenda Green, Acting Deputy Director, Office of Policy, Programs and Legislative Initiatives, Department of Housing and Urban Development
Phone: 202 708-0713

RIN: 2577-AC26**1548. PUBLIC HOUSING PROGRAM—DEMOLITION OR DISPOSITION OF PUBLIC HOUSING PROJECTS (FR-4598)****Priority:** Other Significant

Legal Authority: 42 USC 1437p; 42 USC 3535(d)

CFR Citation: 24 CFR 970**Legal Deadline:** None

Abstract: This rule will revise HUD's regulations regarding demolition and disposition of public housing projects, in accordance with section 531 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276). This rule will establish the general and specific requirements for HUD approval of demolition and disposition applications, relocation of residents, resident participation in the form of consultation and opportunity to purchase, new requirements regarding resident relocation, the PHA lan and local government consultation and a new authority for a PHA to demolish a small number of their units without a formal application under certain circumstances, referred to as "de minimis" demolition.

Timetable:

Action	Date	FR Cite
NPRM	01/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ainars Rodins, Director, Special Applications Center, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 312 886-9754

RIN: 2577-AC20**1549. TENANT-BASED ASSISTANCE: HOUSING CHOICE VOUCHER PROGRAM (FR-4838)****Priority:** Other Significant

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 982; 24 CFR 985**Legal Deadline:** None

Abstract: This rule will revise the Housing Choice Voucher Program to reflect recent legislation covering the use of vouchers in assisted living facilities, use of enhanced vouchers, the calculation of renewal funding and other updating of the regulations to clarify or expand the policy in the regulation based on recent experience in program administration.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Local, State

Agency Contact: Gerald J. Benoit, Director, Housing Voucher Management and Operations, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC44**1550. CAPITAL AND OPERATING FUNDS FOR DEBT SERVICE AND FINANCING ACTIVITIES (FR-4843)****Priority:** Other Significant

Legal Authority: 42 USC 1437g; 42 USC 3535(d)

CFR Citation: 24 CFR 905; 24 CFR 990**Legal Deadline:** None

Abstract: This rule would allow public housing agencies (PHAs) to use either Capital or Operating Funds for financing activities, including payments of debt service and of customary financing costs for the modernization and development of public housing, including public housing in mixed-finance developments. The proposed rule would establish program requirements, submission requirements, and the approval process for PHAs to request authorization from HUD to pledge either the Capital or Operating Funds for debt service payments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

HUD—PIH

Proposed Rule Stage

Small Entities Affected: No**Government Levels Affected:** Local**Agency Contact:** William Thorson,
Director, Office of Capital
Improvements, Department of Housingand Urban Development, Office of
Public and Indian Housing
Phone: 202 708–1640**RIN:** 2577–AC49**Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)**

Final Rule Stage

**1551. TECHNICAL AND CONFORMING
AMENDMENTS TO THE PUBLIC
HOUSING HOMEOWNERSHIP
PROGRAM (FR–4891)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1437z–4; 42
USC 3535(d)**CFR Citation:** 24 CFR 906**Legal Deadline:** None

Abstract: This rule clarifies that, as permitted by statute, a public housing agency (PHA) may use its capital funds to acquire properties to be used for homeownership. This rule also clarifies the obligation to provide relocation assistance in accordance with the Uniform Relocation and Real Property Acquisition Act (URA) in cases where a PHA's homeownership program causes displacement.

Timetable:

Action	Date	FR Cite
Final Action	01/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Dominique Blom,
Office of Public Housing Investments,
Department of Housing and Urban
Development, Office of Public and
Indian Housing
Phone: 202 401–8812**RIN:** 2577–AC53**1552. PHA DISCRETION IN
TREATMENT OF OVER-INCOME
FAMILIES (FR–4824)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 960**Legal Deadline:** None

Abstract: This rule permits PHAs to evict over-income tenants, with an exception for families with active FSS contracts of participation and those entitled to the earned income disallowance.

Timetable:

Action	Date	FR Cite
NPRM	08/01/03	68 FR 45734
NPRM Comment Period End	09/30/03	
Final Action	12/00/04	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Patricia Arnaudo,
Director, Public Housing Occupancy
and Management Division, Department
of Housing and Urban Development,
Office of Public and Indian Housing,
451 7th Street SW., Washington, DC
20410
Phone: 202 708–0744**RIN:** 2577–AC42**1553. CONVERSION OF
DEVELOPMENTS FROM PUBLIC
HOUSING STOCK; METHODOLOGY
FOR COMPARING COSTS OF PUBLIC
HOUSING AND TENANT-BASED
ASSISTANCE (FR–4718)****Priority:** Other Significant**Legal Authority:** 42 USC 1437f;
1437z–5; 3535(d)**CFR Citation:** 24 CFR 972**Legal Deadline:** None

Abstract: This rule would establish the cost methodology that Public Housing Agencies (PHAs) must use under HUD's programs for the required and voluntary conversion of public housing developments to tenant-based assistance. Both programs require that PHAs, before undertaking any conversion activity, compare the cost of providing tenant-based assistance with the cost of continuing to operate the development as public housing. The cost methodology would be codified as an appendix to HUD's regulations for the required and voluntary conversion programs at 24 CFR part 972. This rule follows publication of a September 17, 2003, proposed rule and takes into

consideration the public comments on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/17/03	68 FR 54624
NPRM Comment Period End	11/17/03	
Final Action	06/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bessy Kong, Acting
Deputy Assistant Secretary for Policy,
Program and Legislative Initiatives,
Department of Housing and Urban
Development, Office of Public and
Indian Housing
Phone: 202 708–0713**RIN:** 2577–AC33**1554. HOUSING CHOICE VOUCHER
HOMEOWNERSHIP PROGRAM; PILOT
PROGRAM FOR HOMEOWNERSHIP
ASSISTANCE FOR DISABLED
FAMILIES (FR–4661)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1437f; 42 USC
3535(d)**CFR Citation:** 24 CFR 982**Legal Deadline:** None

Abstract: On June 22, 2001, HUD published an interim rule to implement the three-year pilot program authorized by section 302 of the American Homeownership and Economic Opportunity Act of 2000. A public housing agency (PHA) may elect to provide homeownership assistance to a disabled family under the pilot program, rather than under the Housing Choice Voucher Program homeownership option. Under the pilot program, a PHA provides homeownership assistance to a disabled family residing in a home purchased and owned by one or more members of the family. Under its own terms, the pilot program expired in July 2004.

HUD—PIH

Final Rule Stage

This final rule removes the regulatory provision regarding the pilot program, since it will no longer be in operation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/22/01	66 FR 33610
Interim Final Rule Effective	07/23/01	
Interim Final Rule Comment Period End	08/21/01	
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gerald J. Benoit, Director, Housing Voucher Management and Operations, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC24**1555. PROJECT-BASED VOUCHER PROGRAM (FR-4636)**

Regulatory Plan: This entry is Seq. No. 83 in part II of this issue of the **Federal Register**.

RIN: 2577-AC25

Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)

Long-Term Actions

1556. IMPLEMENTATION OF STATUTORY REVISIONS TO NAHASDA (FR-4750)**Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

Abstract: This rule would implement statutory amendments made to the Native American Housing Assistance and Self-Determination Act of 1996 (25 USC 4101 et seq.) (NAHASDA) by the American Homeownership and Economic Opportunity Act (Pub. L. 106-569, approved December 27, 2000) and the Omnibus Indian Advancement Act (Pub. L. 106-568, approved December 27, 2000). (With minor exceptions, these two laws made identical amendments to NAHASDA.) The rule will update the NAHASDA regulations to conform to self-implementing statutory amendments not reflected in the regulations.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** Tribal

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC37**1557. MINIMUM FUNDING UNDER THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-4825)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

Abstract: This rule revises the current regulation to extend the period for which an Indian tribe may receive a minimum grant amount under the need component of the Indian Housing Block Grant formula. The minimum funding provision in the regulation expired on September 30, 2003. This rule authorizes the extension of the minimum funding provision under the

need component through fiscal year 2004 to avoid hardship to the affected tribes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/24/03	68 FR 37660
Interim Final Rule Effective	07/24/03	
Interim Final Rule Comment Period End	08/25/03	
Interim Final Rule	06/17/04	69 FR 34020
Interim Final Rule Comment Period End	08/16/04	
Interim Final Rule Effective	07/19/04	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-7914

RIN: 2577-AC43

Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)

Completed Actions

1558. REVISIONS TO SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) LEASE-UP INDICATOR (FR-4926)**Priority:** Other Significant**CFR Citation:** 24 CFR 985**Completed:**

Reason	Date	FR Cite
Withdrawn	09/20/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Gerald J. Benoit
Phone: 202 708-0477

RIN: 2577-AC54

HUD—PIH

Completed Actions

1559. PARTICIPATION IN HUD’S
NATIVE AMERICAN PROGRAMS BY
RELIGIOUS ORGANIZATIONS:
PROVIDING EQUAL TREATMENT TO
ALL PROGRAM PARTICIPANTS
(FR-4915)

Priority: Other Significant
CFR Citation: 24 CFR 954; 24 CFR
1003

Completed:		
Reason	Date	FR Cite
NPRM	06/21/04	69 FR 34544
Final Action	10/22/04	69 FR 62164
Final Action Effective	11/22/04	
Regulatory Flexibility Analysis Required: No		
Small Entities Affected: No		
Government Levels Affected: None		

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RIN: 2577-AC56
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